

No. 14/13/87-6Lab./738.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal-cum-Labour Court, Hisar in respect of the dispute between the workman and the management of M/s Vice Chancellor, HAU. Hisar *versus* Ramesh Kumar.

BEFORE SHRI B. R. VOHRA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, HISAR

Reference No. 854 of 90.

Date of receipt : 10-12-90.

Date of decision : 2-9-94.

SHRI RAMESH KUMAR, S/O ROSHAN LAL, 11-A.143, SHANTI NAGAR, HISAR.

.. Applicant

*versus*

1. VICE CHANCELLOR, HARYANA AGRICULTURE UNIVERSITY, HISAR.

2. EXECUTIVE ENGINEER, PUBLIC HEALTH, H.A.U., HISAR

.. Respondent-Management.

*Present :*

Shri Darshan Singh, for the workman.

Shri J. P. Jain, for the management.

#### AWARD

In exercise of the powers conferred by clause (c) of Sub-Section (1) of Section 10 of the Industrial Disputes Act, 1947 (for short 'the Act'), the Governor of Haryana referred the following dispute between Ramesh Kumar and the above mentioned management for adjudication to this Court,—*vide* Labour Department letter No. Hsr./204—90/45068—74, dated the 3rd December, 1990:—

Whether termination of services of Ramesh Kumar is justified and in order? If not, to what relief is he entitled?

2. According to the workman, he was appointed as Electrician on 2nd December, 1981 and had worked as such in different departments 1st August, 1990, when the management terminated his services in an illegal manner, in violation of the provisions of section 25-F and 25-G of the Act. He prayed for reinstatement with full back wages and other consequential benefits.

3. The management, in its written statement, pleaded that the petitioner was engaged as electrician on daily wages and he worked as such upto 31st March, 1982 and thereafter he left the job himself. The management further alleged that the claim is liable to be dismissed.

4. On the pleadings of the parties, the following issues were framed on 11th April, 1991 by my learned predecessor:—

(1) As per terms of reference.

(2) Relief.

5. The parties led evidence in support of their rival claims. I have heard Shri Darshan Singh, A. R. of the workman and Shri J. P. Jain, A.R. of the management and have gone through the case file. My findings on the above issues, are as under:—

**Issue No. 1 :**

6. Ramesh Kumar, workman appeared as WW-1 and has stated that he was appointed on 2nd December 1981 as or Electrician and had worked as such in various departments of the university and his services were terminated on 1st August, 1990 in an illegal manner without giving him any notice and without payment of any retrenchment compensation. He also produced in evidence documents Ex.W-1 to Ex. W-3.

7. The management, examined Shri Harbhajan Singh, Head Clerk, who stated as MW-1 that the petitioner was engaged on-2nd December 1981 and he worked upto July, 1990 in different departments. He admitted in his cross-examination that the petitioner had worked for more than 240 days in a year.

8. During arguments Shri Darshan Singh, A.R. of the workman filed a copy of written statement dated 10th September, 1990, submitted by the management before the Conciliation Officer. According to this written statement and the admission of Shri Harbhajan Singh MW-1 in his cross-examination, the petitioner had put in more than 240 days services and therefore he was protected under the provisions of section 25-F of the Act. The management was duty bound to comply with the provisions of section 25-F of the Act, before terminating his services. The Management did not do so, The non-compliance of mandatory provisions of Section 25-F of the Act, has thus rendered the termination of services of the workman as illegal. The petitioner is not only entitled to reinstatement but full backwages and other consequential benefits also. The issue is answered in favour of the workman

**Issue No. 2—Relief:**

9. In view of my findings on the above issue, the termination of services of the workman is held illegal. The same is hereby set-aside. The petitioner is reinstated in the same post forthwith, with full back wages and benefit of continuity of service and other consequential benefits. The reference is answered accordingly, with no order as to costs.

**B. R. VOHRA,**

Presiding Officer,  
Industrial Tribunal-cum-  
Labour Court, Hisar.

Dated : The 2nd September, 1994

Endorsement No. 2079 dated the 9th September, 1994

A copy, with spare copy, is forwarded to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh for necessary action.

**B. R. VOHRA,**

Presiding Officer,  
Industrial Tribunal-cum-  
Labour Court, Hisar.

**No. 14/13/87-6 Lab./757.**—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal-cum-Labour Court, -II, Faridabad in respect of the dispute between the workman and the management of M/s Ramesh Chand Contractor of M/s Mitaso Appliances Ltd. Faridabad *versus* Ravinder Pandit

**IN THE COURT OF SHRI U. B. KHANDUJA, PRESIDING OFFICER,  
LABOUR COURT-II, FARIDABAD**

**Reference No. 77 of 1994**

*between*

**THE MANAGEMENT OF M/S RAMESH CHAND CONTRACTOR, OF M/S MITASO  
APPLIANCES LTD., PLOT NO. 102, SECTOR-24, FARIDABAD**

**2. MITASO APPLIANCES LTD., PLOT NO. 102, SECTOR-24,  
FARIDABAD**

*versus*

**THE WORKMAN NAMELY SHRI RAVINDER PANDIT C/O SHRI AMAR SINGH  
SHARMA, INTAK OFFICE, S.S.I., PLOT NO. IK/14, N. I. T., FARIDABAD**

**Present :—**

**Shri Amar Singh Sharma, Authorised representative, for the workman.**

**Shri R.C. Sharma, Authorised representative, for the management.**

## AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, (herein-after referred to as 'the Act'), the Governor of Haryana referred the following dispute between the parties, mentioned above, to this Court, for adjudication,—vide Haryana Government endorsement No. 4290 -96 dated the 4th February, 1994.

Whether the termination of services of Shri Ravinder Pandit is legal and justified ? If not, to what relief is he entitled to ?

2. Both the parties had appeared through their representatives. The authorised representative of the workman has made statement that the matter has been settled by the parties as per settlement deed Ex. S-1. The workman has been paid a sum of Rs. 4800/- through receipt Ex. S-2. The workman has relinquished his right for his reinstatement. The dispute referred by the Government thus, does not survive for adjudication. The award is passed accordingly.

The 28th September, 1994.

U. B. KHANDUJA,  
Presiding Officer,  
Labour Court-II,  
Faridabad.

Endorsement No. 2973, dated the 4th October, 1994.

A copy, with three spare copies, is forwarded to the Commissioner and Secretary to Government, Haryana, Labour Department, Chandigarh.

U. B. KHANDUJA,  
Presiding Officer,  
Labour Court-II,  
Faridabad.

No. 14/13/87-6Lab./748.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal-cum-Labour Court, Hisar in respect of the dispute between the workman and the management of M/s. Bhiwani Textile Mills, Bhiwani Vs. Kishan Murari.

BEFORE SHRI B. R. VOHRA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, HISAR

Reference No. 543 of 1990

Date of receipt : 22-6-1989.

Date of decision : 1-10-1994.

SHRI KISHAN MURARI, S/O RAM SARUP, C/O MAZDOOR SABHA,  
AITUC OFFICE, 43, LABOUR COLONY, BHIWANI

.. Applicant

versus

M/S. BHIWANI TEXTILE MILLS, BHIWANI

.. Respondent/Management

Present :

Shri Chetan Anand, for the workman.

Shri M. M. Kaushal, for the management.

## AWARD

1. In exercise of the powers conferred by clauses (c) of Sub-Section (i) of Section 10 of the Industrial Disputes Act, 1947 the Governor of Haryana referred the following dispute between Kishan Murari and

the above mentioned management for adjudication to this Court,—vide Labour Department letter No. Bwn/87—89/25833—38, dated 17th June, 1989 :—

Whether the termination of services of Shri Kishan Murari, is justified and in order? If not, to what relief, is he entitled ?

2. The case of the petitioner is that his services were terminated by the management in an illegal manner.

3. The case was being contested, when the parties arrived at an amicable settlement. The statements of the parties were recorded on 28th September, 1994.

4. In view of the statements of the parties recorded on 28th September, 1994, the petitioner has received his full and final claim and also given up his claim of reinstatement. Thus, no dispute survives for adjudication. The reference is answered accordingly, with no order as to costs.

The 1st October, 1994.

B. R. VOHRA,  
Presiding Officer,  
Industrial Tribunal-cum-  
Labour Court, Hisar.

Endorsement No. 2187, dated the 3rd October, 1994.

A copy, with spare copy, is forwarded, to the Financial Commissioner and Secretary to Government Haryana, Labour & Employment Department, Chandigarh for necessary action.

B. R. VOHRA,  
Presiding Officer,  
Industrial Tribunal-cum-  
Labour Court, Hisar.

No. 14/13/87-6Lab./758.—In pursuance of the provisions of section 17 of the Industrial disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal-cum-Labour Court-II, Faridabad in respect of the dispute between the workman and the management of M/s Haryana Textile Corporation Ltd., Faridabad *versus* Bharat Ram.

IN THE COURT OF SHRI U. B. KHANDUJA, PRESIDING OFFICER, LABOUR  
COURT-II, FARIDABAD

Reference No. 97/1994

*between*

THE HARYANA TEXTILE CORPORATION LTD., PLOT NO. 97,  
SECTOR 25, FARIDABAD

.. *Management*

*versus*

SHRI BHARAT RAM, C/O SHRI SUBHASH SHARMA, HANUMAN  
MANDIR, SECTOR 22, FARIDABAD

.. *Workman*

Present:

None.

AWARD

1. In the exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 (herein-after referred to as "the Act"), the Governor of Haryana referred the following dispute, between the parties mentioned above, to this Court, for adjudication,—vide Haryana Government, endorsement No. 43128-33, dated 31st January, 1994:—

Whether the termination of services of Shri Bharat Ram, is legal and justified? If not, to what relief, is he entitled ?

2. Notice was sent to both the parties for appearance on the court. The workman did not appear despite the service of notice. Consequently, he was ordered to be proceeded against *ex parte*.

3. The management appeared through Shri G. S. Choudhary authorised representative and sought adjournment to file written statement and lead *ex parte* evidence today but none is present today. In the circumstances, the court is left with no option but to pass no claim award and it is passed accordingly.

U. B. KHANDUJA,

The 28th September, 1994.

Presiding Officer,  
Labour Court-II,  
Faridabad.

Endorsement No. 2972, dated the 4th October, 1994.

A copy, with three spare copies, is forwarded, to the Commissioner and Secretary to Government Haryana, Labour Department, Chandigarh.

U. B. KHANDUJA,

Presiding Officer,  
Labour Court-II,  
Faridabad.

The 25th October, 1994

No. 14/13/87-6Lab./762.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal-cum-Labour Court-I, Faridabad in respect of the dispute between the workman and the management of M/s Mec Ware India Ltd., Faridabad *versus* Raghu Landan.

BEFORE SHRI N. L. PRUTHI, PRESIDING OFFICER, INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT-I, FARIDABAD

Reference No. 364 of 91

In the matter of industrial dispute

*between*

SHRI RAGHU NANDAN, C/O SHRI SUBASH SHARMA, HANUMAN  
MANDIR, SECTOR-29, N.I.T., FARIDABAD

.. Claimant

*and*

M/S MEC WARE INDIA LTD., 2-A, AIR FORCE ROAD, DABUA  
COLONY, FARIDABAD

.. Management

**Present :**

Workman with his Authorised representative Shri U.P. Gupta.

Shri S.P. Rana, Authorised representative for Management.

**AWARD**

Under the provisions of section 10(1) (c) of Industrial Disputes Act, 1947, the Government of Haryana have,—*vide* Endst. No. ID/FD/131—91/29638—33, dated 5th August, 1989 referred the following dispute between the parties above mentioned for adjudication :—

Whether the termination of services of Shri Raghu Nandan, is legal and justified. If not, to what relief he is entitled?

2. The matter was settled on 7th September 1994. In pursuance thereof the workman had been paid an amount of Rs. 3120/- in cash in full and final settlement of his claim. Ex. S-1 is the copy receipt of above said payment. No more dispute now survives in this case. An award is passed accordingly. Receipt Ex. S-1 shall form part of the award.

N. L. PRUTHI,

The 22nd September, 1994.

Presiding Officer,  
Industrial Tribunal-cum-Labour Court-I,  
Faridabad.

Endorsement No. 3562, dated the 27th September, 1994.

A copy, with three spare copies, is forwarded to the Commissioner and Secretary to Government, Haryana, Labour Department, Chandigarh.

N. L. PRUTHI,  
Presiding Officer,  
Industrial Tribunal-cum-Labour Court-I,  
Faridabad.

No. 14/13/87-6Lab/761.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal-cum-Labour Court-I, Faridabad in respect of the dispute between the workman and the management of M/s Porritts and Spencer (Asia) Ltd., Faridabad *versus* Gir Raj Singh.

BEFORE SHRI N.L. PRUTHI, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, FARIDABAD

Reference No. 103 of 1988

IN THE MATTER OF INDUSTRIAL DISPUTE.

*between*

SHRI GIR RAJ SINGH, S/O SHRI UDAY SINGH, V. & P. O. BHIDUKI,  
DISTRICT FARIDABAD

.. Claimant

*and*

M/S PORRITTS & SPENCER (ASIA) LTD., PLOT NO. 113-114A, SECTOR 24,  
FARIDABAD

.. Management

*Present :*

Workman with his A.R. Sh. Jawahar Lal.

Shri Gurbochan Singh with Sh. R.C. Sharma A.R., for the Management.

**AWARD**

Under the provisions of Section 10 (1) of Industrial Disputes Act, 1947, the Government of Haryana have,—*vide* Endorsement No. ID/FD/112-82/5144—49, dated the 4th February, 1988, referred the following dispute between the parties above named for adjudication:—

Whether the termination of the services of Shri Gir Raj Singh, is legal and justified ? If not, to what relief he is entitled ?

2. The matter was settled between the parties. The workman has been paid an amount of Rs. 71,000 (Rs. 61,000/- by draft and Rs. 10,000/- in cash in full and final settlement of his claim Ex. S-1 is the receipt signed by the workman. No more dispute now survives in this case. An award is passed accordingly.

N. L. PRUTHI,

Presiding Officer,

The 26th September, 1994.

Industrial Tribunal-cum-Labour Court-I,  
Faridabad.

Endorsement No. 3563, dated the 27th September, 1994.

A copy, with three spare copies, is forwarded, to the Commissioner and Secretary to Government, Haryana, Labour Department, Chandigarh,

N. L. PRUTHI,

Presiding Officer,

Industrial Tribunal-cum-Labour Court-I,  
Faridabad.